

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WESLEY BROWN,)
)
Petitioner,)
)
v.)
)
JIM MORROW, WARDEN,)
)
)
Respondent.)

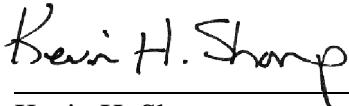
No. 3:11-cv-00039
Judge Sharp

O R D E R

For the reasons explained in the Memorandum entered contemporaneously herewith, the petitioner's "Motion to Decide Case on Its Merits" (Docket No. 11) is hereby **DENIED** as premature. In addition, the petitioner's "Motion to Expand the Record" (Docket No. 33) is hereby **DENIED**.

The petitioner's "Motion to Appoint Counsel/Motion to Expand Record" (Docket No. 38) is hereby **DENIED IN PART** and **GRANTED IN PART**. In particular, the motion is **DENIED** insofar as the petitioner's second request for appointment of counsel is **DENIED**. The motion is **GRANTED** insofar as the respondent is hereby **DIRECTED** to review the technical record submitted to the court and to the petitioner on May 9, 2011 (Docket Nos. 34 and 35) and to re-file, to the extent necessary, a complete, orderly, paginated, non-duplicative record within ten (10) days of receipt of this order, paying careful attention to the post-conviction records. The respondent shall also provide a copy to the petitioner within ten (10) days of receipt of this order.

It is so ORDERED.



Kevin H. Sharp
United States District Judge